



The Planning Inspectorate

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Our Ref: TR030005

Date: 20 January 2021

Dear Mr Walker

Planning Act 2008 (as amended) – Section 51

Application by Able Humber Ports Ltd for the Able Marine Energy Park Material Change 1 Application

Following our Subsequent Screening Opinion dated 6 January 2021 we have been giving consideration to the substance of the proposed Material Change 1 application. The proposed material change consists of an amendment to article 33 of the made Able Marine Energy Park Development Consent Order (2014) to extend the time limit for the exercise of authority to acquire land compulsorily over a single parcel of land.

Whilst we note that the subsequent screening opinion states that the proposed material change is not an application which requires further environmental information or an updated environmental statement, we want to bring s122 of the Planning Act 2008 to your attention. For example, s122 states a condition that 'there is a compelling case in the public interest for the land to be acquired compulsorily'. As part of the consideration of the material change application, it is therefore likely that the impacts of the development itself will need to be understood, particularly given the length of time since the initial Development Consent Order was made, in order to satisfy the condition(s) under section 122.

Please do get in touch if you wish to discuss this further.

Kate Mignano

Kate Mignano
Operations Manager

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